

Wisconsin Department of Regulation & Licensing

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DIVISION OF PROFESSIONAL CREDENTIAL PROCESSING

FIREARMS CERTIFICATION OF PROFICIENCY - CHANGE OF EMPLOYER OR ADDITIONAL EMPLOYER

NOTE: *This form should be used when an owner or employee who holds a current firearms permit transfers employment to a different agency or plans to carry a firearm for more than one agency*

Under Wisconsin law, the Department must deny your application if you are liable for delinquent state taxes or child support (sec. 440.12, Stats.).

☐ Your name and address are available to the public.

PLEASE TYPE OR PRINT IN INK

Check box if you wish your name & address withheld from lists of 10 or more credential holders (sec. 440.14, Stats.)

Last Name	First Name	MI	Former / Maiden Name(s)
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Your Street Address (number, street, city, state, zip)

Mail To Address (if different)

Date of Birth ____ month ____ day ____ year	Daytime Telephone Number (____) _____ - _____
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Ethnic/gender status information is optional.

Sex: ☐ M
☐ F

Ethnic: ☐ White, not of Hispanic origin
☐ Black, not of Hispanic origin
☐ Hispanic

☐ American Indian or Alaskan
☐ Asian or Pacific Islander
☐ Other

Height	Weight	Eye Color	Hair Color
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Name of Private Detective Agency/Security Guard Agency Which Will Place Person Named Above on Duty with a Firearm	Agency License Number
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Address of Agency (Number, Street, City, State, Zip Code)	Daytime Telephone Number (____) _____
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I hereby attest that to the best of my knowledge, the information on this form is accurate. I hereby attest that I have not been convicted of any felony crime, and that I am not prohibited by any applicable federal or state law from carrying or being in possession of a firearm. I further attest that I have read and understand sec. 941.29, Stats. (See reverse side.)

SIGNATURE OF PERSON CURRENTLY CERTIFIED AS FIREARMS PROFICIENT _____ DATE _____

I hereby attest that to the best of my knowledge, the information on this form is accurate. Our agency, therefore, requests that a permit to carry a firearm while on duty as a security guard for our agency be granted to the individual named above.

SIGNATURE OF OWNER, OFFICER OR PARTNER OF PRIVATE AGENCY/SECURITY GUARD AGENCY _____ DATE _____

NO FEE IS REQUIRED

FOR OFFICE USE ONLY:

Agency Firearms Policy is on file. ☐ Yes ☐ No

Applicant is covered under agency insurance policy which includes firearms coverage to: _____

Firearms Certification of Proficiency is valid through: _____

Wisconsin Department of Regulation & Licensing

CHAPTER 941.29 POSSESSION OF A FIREARM

(1) A person is subject to the requirements and penalties of this section if he or she has been:

(a) Convicted of a felony in this state.

(b) Convicted of a crime elsewhere that would be a felony if committed in this state.

(bm) Adjudicated delinquent for an act committed on or after April 21, 1994, that if committed by an adult in this state would be a felony.

(c) Found not guilty of a felony in this state by reason of mental disease or defect.

(d) Found not guilty of or not responsible for a crime elsewhere that would be a felony in this state by reason of insanity or mental disease, defect or illness.

(e) Committed for treatment under s. 51.20 (13) (a) and ordered not to possess a firearm under s. 51.20 (13) (cv).

(f) Enjoined under an injunction issued under s. 813.12 or 813.122 or under a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court established by any federally recognized Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he or she is subject to the requirements and penalties under s. 941.29 and that has been filed under s. 806.247 (3).

(g) Ordered not to possess a firearm under s. 813.125 (4m).

(2) A person specified in sub. (1) is guilty of a Class E felony if he or she possesses a firearm under any of the following circumstances:

(a) The person possesses a firearm subsequent to the conviction for the felony or other crime, as specified in sub. (1) (a) or (b).

(b) The person possesses a firearm subsequent to the adjudication, as specified in sub. (1) (bm).

(c) The person possesses a firearm subsequent to the finding of not guilty or not responsible by reason of insanity or mental disease, defect or illness as specified in sub. (1) (c) or (d).

(d) The person possesses a firearm while subject to the court order, as specified in sub. (1) (e) or (g).

(e) The person possesses a firearm while the injunction, as specified in sub. (1) (f), is in effect.

(2m) Whoever violates this section after being convicted under this section is guilty of a Class D felony.

(3) Any firearm involved in an offense under sub. (2) is subject to s. 968.20 (3).

(4) A person is concerned with the commission of a crime, as specified in s. 939.05 (2) (b), in violation of this section if he or she knowingly furnishes a person with a firearm in violation of sub. (2).

(5) This section does not apply to any person specified in sub. (1) who:

(a) Has received a pardon with respect to the crime or felony specified in sub. (1) and has been expressly authorized to possess a firearm under 18 USC app. 1203; or

(b) Has obtained relief from disabilities under 18 USC 925 (c).

(6) The prohibition against firearm possession under this section does not apply to any correctional officer employed before May 1, 1982, who is required to possess a firearm as a condition of employment. This exemption applies if the officer is eligible to possess a firearm under any federal law and applies while the officer is acting in an official capacity.

(7) This section does not apply to any person who has been found not guilty or not responsible by reason of insanity or mental disease, defect or illness if a court subsequently determines both of the following:

(a) The person is no longer insane or no longer has a mental disease, defect or illness.

(b) The person is not likely to act in a manner dangerous to public safety.

(8) This section does not apply to any person specified in sub. (1) (bm) if a court subsequently determines that the person is not likely to act in a manner dangerous to public safety. In any action or proceeding regarding this determination, the person has the burden of proving by a preponderance of the evidence that he or she is not likely to act in a manner dangerous to public safety.

(9) This section does not apply to a person specified in sub. (1) (e) if the prohibition under s. 51.20 (13) (cv) 1. has been canceled under s. 51.20 (13) (cv) 2. or (16) (gm).

(10) The prohibition against firearm possession under this section does not apply to a person specified in sub. (1) (f) if the person satisfies any of the following:

(a) The person is a peace officer and the person possesses a firearm while in the line of duty or, if required to do so as a condition of employment, while off duty.

(b) The person is a member of the U.S. armed forces or national guard and the person possesses a firearm while in the line of duty.

History: 1981 c. 141, 317; 1983 a. 269; 1985 a. 259; 1993 a. 195, 196, 491; 1995 a. 71, 77, 306, 417.

NOTE: See Chapter 141, laws of 1981, section 2, entitled "Initial applicability."

Where defendant is willing to stipulate to being a convicted felon, evidence of nature of felony is irrelevant if offered only to support felony conviction element. *State v. McAllister*, 153 W (2d) 523, 451 NW (2d) 764 (Ct. App. 1989).

Failure to give the warning under s. 973.033 does not prevent a conviction under this section. *State v. Phillips*, 172 W (2d) 391, 493 NW (2d) 238 (Ct. App. 1992).

Retroactive application of this provision did not violate the prohibition against ex post facto laws because the law is not intended to punish persons for a prior crime but to protect public safety. *State v. Thiel*, 188 W (2d) 695, 524 NW (2d) 641 (1994).

A convicted felon's possession of a firearm is privileged in limited enumerated circumstances. *State v. Coleman*, 206 W (2d) 198, 556 NW (2d) 701 (1996).

Sub. (5) (a) has been invalidated by congressional action. Pardons granted after November 15, 1986, will give recipients right to receive, possess or transport in commerce firearms unless pardon expressly provides otherwise. 78 Atty. Gen. 22.